

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DIRECTV, Inc,)	
)	
Plaintiff,)	CIVIL ACTION 03-12255-WGY
v.)	
)	
JOSEPH GRYBOSKI,)	
Defendant)	
_____)	

**DEFENDANT'S AFFIDAVIT IN SUPPORT OF MOTION FOR SUMMARY
JUDGMENT**

I, Joseph Gryboski, hereby depose and state on oath:

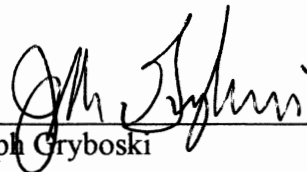
1. My name is Joseph Gryboski. I am the defendant in this action. I make this affidavit on personal knowledge.
2. As far as I can recall, I did not purchase, receive, or possess the devices which are described in the complaint. I do not recall ever doing business with a company called "DSS-Pro."
3. Around the time I am alleged to have purchased the devices described in the complaint, I did purchase one "smart card reader" over the internet, which I intended to use to decipher information contained on a new credit card I had obtained from American Express. I was not successful in doing this and I promptly threw the "reader" away. I doubt that this is one of the devices described in the complaint, as I do not recognize any of the names of those devices and, as said, I do not ever recall doing business with "DSS-Pro."

4. I have never intercepted, attempted to intercept, or assisted others in intercepting DirecTV's satellite signal. I have never distributed any devices which I knew or had reason to know were primarily designed to intercept DirecTV's satellite signal without authorization. I never assembled, manufactured, or modified any devices knowing or having reason to know that the devices created were primarily designed to intercept DirecTV's signal without authorization. I never owned, possessed, downloaded, or otherwise had access to any software in connection with intercepting a DirecTV signal or **in modifying any device in order to intercept a DirecTV signal.**

5. I have not had any education or vocational training in electronics, computers, or smart card technology. I do not know what would be involved in attempting to intercept DirecTV's satellite signal.

6. I was a DirecTV subscriber until sometime in 2001. I canceled my subscription because the quality of the service was poor and I was often not able to reach customer service. I promptly discarded my DirecTV equipment. I have subscribed to Cable TV continuously since that time.

I hereby state on oath that the foregoing statements are true and correct to the best of my knowledge and belief.



Joseph Gryboski

COMMONWEALTH OF MASSACHUSETTS

County of Essex

Then personally appeared before me Joseph Gryboski, who is personally known to me or who produced MA Drivers Lic. as identification and made oath that the matters contained in the foregoing affidavit are true and correct and that he signed same as his free act and deed.

Patricia M. Hadden

Notary Public

M.C.E.

Dated: 9/3/04